



## Status of Nuclear Regulatory Commission Efforts to Establish Criteria for “Below Regulatory Concern”

**Background:** The Nuclear Regulatory Commission (NRC) attempted to establish levels (“BRC” Levels) of radioactive materials that would be allowable for unrestricted release from NRC-licensed sites. The NRC efforts to reach a consensus among the various Federal agencies, public interest and industrial groups expressing an interest in these standards were unsuccessful.

Because the proposed “BRC” values no longer have any official status within the NRC, it is important that DOE facilities and contractors do not use the draft NRC “BRC” values as levels for unrestricted release of contaminated materials.

**Reference:** Reference for existing DOE criteria: Chapters II and IV of DOE Order 5400.5

On July 3, 1990, the Nuclear Regulatory Commission (NRC) published a policy statement in the Federal Register (55 *FR* 27522) concerning a proposed policy to establish “BRC Levels” below which materials slightly contaminated with radioactive materials could be released to the general environment for unrestricted use. The policy itself did not permit or establish criteria for any specific application, but set the dose criteria against which proposed actions to release slightly contaminated materials would be judged. The NRC action generated considerable public and congressional opposition and efforts to establish levels of radioactive materials that would be acceptable for unrestricted release into the general environment.

The NRC attempted to develop a process to reach consensus among the various Federal, public interest and industrial groups having an interest in “BRC.” However, the NRC was unable to implement the process and, therefore, was unable to achieve a consensus. For this reason, the NRC has tabled its efforts to develop generic BRC

criteria and will, instead, be concentrating on rulemakings to set “exemption levels” for specific commercial applications. For example, they are initiating a rulemaking to establish standards for decontamination and decommissioning of NRC-licensed facilities.

Because the “BRC” values no longer have official status within the NRC (and never were recognized for use by DOE facilities), it is important that DOE facilities and contractors do not use the draft NRC “BRC” values as allowable levels for unrestricted release of contaminated materials in decisions or actions related to setting release limits or guidance on “as low as is reasonably achievable” process.

*Questions of policy or questions requiring policy decisions will not be dealt with in EH-232 Information Briefs unless that policy has already been established through appropriate documentation. Please refer any questions concerning the subject material covered in this Information Brief to Hal Peterson, Air/Water/Radiation Division, EH-232, FTS 896-9640.*